

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GOOD SAMARITAN HOSPITAL,

Plaintiff,

:

Case No. 3:05-cv-408

-vs-

District Judge Thomas M. Rose

Chief Magistrate Judge Michael R. Merz

:

BLUE CROSS BLUE SHIELD
OF MICHIGAN, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #19), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on April 28, 2006, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this action be dismissed without prejudice as to Defendants Grover F. and Deborah S. Durham for failure to make service of process within the time allowed by law.

May 1, 2006.

s/Thomas M. Rose

Thomas M. Rose
United States District Judge